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ABSTRACT

This issue of the Freedom of Speech Newsletter contains a list of the panels presented by the Freedom of Speech Interest Group at the Western Speech Communication Association convention in November 1975; Communication Stress and Freedom of Speech by John L. Healy, which describes an investigation into the destructive effects of stress; A Right to Speak or Not to Listen by Ray Weisenborn, which analyzes a speech delivered by George Lincoln Rockwell at Michigan State University in April 1967; 'Symbolic Speech' : Yes or No? by Ruth McGaffey, which urges that the same standards be used to protect non-verbal communication as are used to protect the printed and spoken word; and a report by Thomas Tedford on the Speech Communication Association's Commission on Freedom of Speech. (JM)

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# FREEDOM OF SPEECH NEWSLETTER

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"The First Amendment presupposes that right conclusions are gathered out of a multitude of tongues than through any kind of authoritative selection. To many this is, and always will be, folly; but we have staked upon it our all." In making these comments, Judge Learned Hand brings to light an interesting concept that is generally kept in the shadows of libertarian thought. That is, the often times non-paralleling (sometimes clashing) between societal laws maintained by the judiciary (codified morality, if you will) and societal mores maintained by the citizenry.

Much work which involves us with our studies and writings on First Amendment rights centers around legal development and ramifications. However, little time is spent on the direct impact of people on people as it relates to our basic freedoms. There are many examples in the world's history of entire sets of laws being terminated by victorious political groups (China, Russia, United States, the new African nations to a somewhat lesser degree). In each case, though, where the new laws failed to correspond with ingrained attitudes, it was the strength of those attitudes that was the mediating force.

An organic state of freedoms suggests that our rights are natural and living. To survive they must be deeply ingrained in the hearts and minds of people. Taking this concept further, rights (if we may see them to make a point) as growing, living objects, will become weak, useless and eventually die, if they are not taken care of by those who see them as useful and beautiful. Rights, as any living objects, need sunshine to stay strong and healthy; if overgrown and crowded with ambiguous issues, they will whither. Rights, as other living objects, need water so nourishment may be taken; if upon the occasion where draught through oppression or lack of concern exists, they will die. Rights, as other living things need freedom to grow; if they are restricted, their growth will be stunted and soon they will disappear. And, rights need their roots to be secure in the soil of the land; if they can be easily uprooted, discarded, it is the fault of those who planted them for not giving the roots anything substantial to grasp.

In short, there are laws and there are mores. The latter will have the greater impact and will be most lasting for those are organic, natural. Laws, though important for societal order, exist in a transcient state serving the will of societal mores. We must direct our efforts toward social mores as well as the laws as we work to protect and maintain First Amendment rights.

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VOLUME II Number 2 November 1975

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ARTICLES:

COMMUNICATION STRESS AND FREEDOM OF SPEECH

by John L. Healy

"SYMBOLIC SPEECH": YES OR NO?

by Ruth McGaffey

A RIGHT TO SPEAK OR NOT TO LISTEN

by Ray Weisenborn

SCA'S COMMISSION ON FREEDOM OF SPEECH

by Thomas Tedford

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ANNOUNCEMENTS:

SPECIAL THANKS are extended to those who have made it possible for the Newsletter to be published:

*Dr. Emil Pfister, Chairman, Department of Communications, and Ambassador College for taking on the duplicating responsibilities for the September issue.

*Dr. John Healy and California State University at Long Beach for their concern in producing this issue of the Newsletter.

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Business meeting of Freedom of Speech Interest Group in Seattle - MONDAY, NOVEMBER 24, 4:45-6:00 p.m.!!!

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NEXT NEWSLETTER DEADLINE - January 20

# CONVENTION PREVIEW

The Freedom of Speech Interest Group of the Western Speech Communication Association will be presenting the following panels at the annual W.S.C.A. Convention. Be sure to note the hours and days - support your colleagues - attend all three panels!

"SEXUAL FREEDOM AND THE FIRST AMENDMENT" TUESDAY, NOVEMBER 25, 8:30 a.m.

**Chairperson:** Nancy Gossage McDermid, San Francisco State University

**Participants:** Haig Bosmajian - University of Washington
"Obscene, Lewd, Lascivious Thoughts and Freedom of Speech"
Jennifer James - University of Washington (Department of Psychiatry and Behavioral Sciences)
"Commercialized Sex: A Matter of Class and Taste"
Sally Gearhart - San Francisco State University
"A Queer Interpretation of the First Amendment: 'Homosexual' Acts Between Consenting Adults"

**Note:** This panel is co-sponsored by the Women's Caucus, W.S.C.A.

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"NO PLATFORMS FOR NAZIS, RACISTS, RADICALS,...OR, AGITATORS AND THE FIRST AMENDMENT" WEDNESDAY, NOVEMBER 26, 8:30 a.m.

**Chairperson:** Winfred G. Allen, Jr., Ambassador College

**Participants:** Thomas B. Farrell - University of California, Los Angeles
"Strategic Politics and Free Speech:The Warrant of Agitation"
Karen Rasmussen - University of Utah
"Wayne Booth's Rhetoric of Assent: Implications for Agitation and the First Amendment"
Ray D. Weisenborn - Montana State University
"A Comparative Study of Agitation: Hitler and Rockwell"
Henry McGuckin - San Francisco State University
"Audience Outrage and Freedom of Speech"



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(continued)

CONVENTION Δ

"NO ACCESS FOR OBSCENITY, RIGHT TO REPLY, CITIZEN ACTIVISTS,...,...,
OR, MEDIA AND THE FIRST AMENDMENT" WEDNESDAY, NOVEMBER 26, 10:10 a.m.

**Chairperson:** Kenneth D. Bryson, Montana State University

**Participants:** Richard Krause - University of New Mexico
"Broadcast Media and the First Amendment: The 'TORNILLO Case'"
Greg Palmer - Radio Producer and Writer (Currently producing series funded by National Endowment for the Humanities)
"Broadcast Media and the First Amendment: The 'KRAB-FM Case'"
Aneke-Jan Boden - Eastern Montana College
"Size of Broadcast Industry as an Influence on First Amendment Rights of Citizens"
Robert A. Sencer - Montana State University
"Concepts of Media Censorship: Contrasts Between Public and Broadcaster Views"

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## Δ- FOR YOUR REFERENCE -Δ

INTELLECTUAL FREEDOM MANUAL. Office for Intellectual Freedom of the American Library Association. Chicago: American Library Association, 1974; pp. xxx+155. $12.75. Submitted by Thomas Tedford - University of North Carolina at Greensboro.

The American Library Association has not always been strong in its advocacy of freedom to communicate. The ALA's new Intellectual Freedom Manual notes that in 1908 Arthur E. Bostwick, the incoming President of the Association, said in his inaugural address that by acting as censors librarians have had "greatness thrust upon them... Books that distinctly commend what is wrong, that teach how to sin and tell how pleasant sin is... do not tempt the librarian" (p. xiv).

The increase in censorship in the United States during the twentieth century--censorship which included among its targets Eugene O'Neill's Beyond the Horizon and John Steinbeck's Grapes of Wrath--caused the ALA to develop a policy of opposition to the suppression of books and other library materials. In 1939 the organization adopted a "Library's Bill of Rights" (subsequently revised several times), and in 1940 established the Intellectual Freedom Committee. The work of this committee led to the establishment, in 1967, of the Office of Intellectual Freedom, which is now staffed with a Director, two Assistant Directors, and an Executive Secretary. The Office of Intellectual Freedom has led the ALA to become outspoken and persuasive in its advocacy of freedom to read and freedom to speak. No doubt the OIF's Intellectual Freedom Manual would be professional heresy to Arthur E. Bostwick!

The Manual consists of brief histories of how various positions were reached by the ALA, the latest position papers together with interpretations, and practical suggestions on how to prepare for and oppose the

(continued, p.7 )

# COMMUNICATION STRESS AND FREEDOM OF SPEECH

by

John L. Healy, Ph.D.

Department of Speech Communication
California State University
Long Beach

"Abridgement and threat concerning freedom of speech appear to be major factors in the development of communication stress."

The First Amendment states "Congress shall make no law...abridging the freedom of speech." However, natural law as existing in the capacity of the human organism to respond to demands made upon it in a stressful manner, and conditioning, which contributes to the development of customs and behaviors (which operate with the force of law) practically guarantee that there will be abridgement which is not only contrary to the spirit of the constitution but to some extent unnecessary.

The speech classroom is a societal unit operating under the constitution. It provides an opportunity for the investigation of freedom of speech in a context devoted to the understanding and skillful use of that freedom. Stress, which takes many forms, is prevalent in college classrooms. Communication stress is a phenomenon which has been recognized and investigated for centuries. Stage fright, anxiety, and adjustment, are among the terms which have been employed.

Recent significant developments and studies by such investigators as Selye,[1] Lamb,[2] Mulac and Sherman,[3] and the invention of the Psychological Stress Evaluator[4] have increased communication stress measurement and description potentials. Consequently the investigation of multidimensional procedure. Abridgement and threat concerning freedom of speech appear to be major factors in the development of communication stress.

Stress has been defined in many ways. This article uses Selye's definition as a core concept: "Stress is the non-specific response of the body to any demand made upon it."[5] Stress is considered to be a psychophysiological phenomenon. The speaker's perception of the demand appears to be a major determinant of the bodily response referred to above. Stress can be considered to have three major characteristics: One, the intensity; two, the direction, which indicates whether the individual judges the demand to be constructive or destructive; and three, (closely related to direction) the concomitant such as anxiety, anger, fear, thrill, excitement, and ecstacy.

Communication stress is the agregate of three stress indicating activities: one, perception; two, autonomically mediated activity; and three, speech communication behavior. Lamb's Speech Anxiety State form gives an indication of the perception of the speaker with reference to the intensity of the stress, and the affective concomitant of anxiety.

c.

The Psychological Stress Evaluator gives an indication of the amount of autonomic arousal; while the Mulac and Sherman Behavioral Assessment of Speech Anxiety provides information as to the amount or intensity of manifest anxiety. By securing these measures with respect to a particular episode of speech communication the stress profile of an individual can be obtained.

Having developed a procedure for obtaining a stress profile in terms of intensity, direction, and affective concomitant; and being concerned about freedom of speech, it was a logical, if not inevitable development, to apply the profile to situations involving interference with freedom of speech. Accordingly, a modest exploration of the relationship of freedom of speech and communication stress was conducted. This exploration involved two assumptions which were implied earlier in the article. One, that stress is a natural and inevitable response of the organism in the presence of demand. Two, that people in general, and students in particular, have learned to experience destructive stress under conditions which could well be constructive. Stress is natural and valuable, but communication inhibiting or interfering stress seems less natural, and detrimental but not inevitable. These will be left as assumptions with the reader having a choice of accepting them or not. However, the data generated in the exploration are not assumptions and do appear to provide some clarification of the relationship of freedom of speech and communication stress.

The exploration was conducted as follows: A beginning speech class at California State University, Long Beach, was presented with a "radical" talk advocating sweeping overhaul of the university with respect to cutting the student body in half, the faculty by half, and the administration severely. Accompanying these cuts would be eliminating tuition, and doubling faculty salaries. In response to this presentation two students volunteered to support and oppose the proposal, respectively. They gave their speech twice. The first time there was the "normal" college classroom atmosphere. In-between the first and second presentation they were subjected to heckling type questions. They were informed that during the second presentation there would be criticizing interruptions. These occurred in both cases. Both talks were recorded and then analyzed on the Psychological Stress Evaluator for intensity of stress, as reflected in autonomic activity. Each student filled out a Lamb Anxiety State inventory immediately after his second speech. Both students were rated on the Mulac and Sherman (brief form) Behavioral Assessment of Speech Anxiety.

The stress, as depicted in the Psychological Stress Evaluator charts, was much heavier on the second presentation for each individual. With regard to the Lamb form (with an anxiety reange of 23 to 92) the advocate scored 42; the opponent scored 55. The class rated each student to be manifesting increased anxiety on the second talk.

By no stretch of the imagination would I term this statistical treatment. It is however factual and does deal with data which would not otherwise be available. It can be said that the communication stress profile for the second speech was clearly higher.

This project (coupled with other research and projects not explicitly related to freedom of speech, and therefore not reported here) has strengthened my belief that much of destructive stress is learned, and much unnecessary. Students have indicated by their communication skill and content that when perceptual accuracy which is a possible outgrowth of construction and analysis of communication stress

profiles, is increased, that destructive stress (as judged) decreases and is often replaced by constructive stress or motivation.

I have been working with the profile for almost two years. However, the application to freedom of speech is recent and exploratory. There are implications for further application of the communication stress profile to additional freedom of speech related situations. One fertile possibility is the consideration of communication stress in the speech and speeches of political figures and public officials, especially those charged with preservation of freedom of speech.

Inherent, though not established, in this particular project and recurring in many other investigations of communication stress is the capability and responsibility of speech communication teachers to offset some of the abridgement of freedom of speech.

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FOOTNOTES

"Communication Stress and Freedom of Speech"

1. Selye, Hans. Stress Without Distress. Lippencott, New York, 1974.

2. Lamb, Douglas H. "Speech Anxiety Towards a Theoretical Conceptualization and Preliminary Scale Development", Speech Monographs, 39, (March, 1972) pp. 62-67.

3. Mulac, Anthony and Sherman, Robert. "Behavioral Assessment of Speech Anxiety", Quarterly Journal of Speech, 60, (April, 1974), pp. 134-143.

4. Dektor Counterintellegence Agency PSE Orientation Course (unpublished, undated).

5. Selye, op. cit.

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- MANUAL CON'T.

censor. Part 1 reviews the development of "The Library Bill of Rights" from 1939 to its current wording as adopted in 1967. Part 2 explains the Association's position on "The Freedom to Read". Part 3 concerns "Intellectual Freedom: An All-Embracing Concept," and discusses the problems of five types of libraries - public, school, academic, federal, and state. Part 4 is one of the most interesting sections of the book, for it explains what the librarian should do "Before the Censor Comes." Suggestions include having a written statement of policy on materials selection and circulation, and having clear procedures for handling complaints from individuals and groups. Also, this section includes a concise analysis of "The Censor: His Motives and Tactics." Part 5 is on "Intellectual Freedom and the Law," and offers ideas for working with members of legislatures. Part 6 explains how "Assistance from ALA" can benefit the librarian confronted with a problem of censorship. A list of selected readings concludes the book.

The Manual is well organized, concise, and practical. Its contents are useful not only to the librarian but also to any person interested in the subject of intellectual freedom. Teachers of speech communication will find it a valuable reference in preparing lectures, units, and courses in freedom of speech.

# "SYMBOLIC SPEECH": YES OR NO?

by

Ruth McGaffey, Ph.D.

Department of Communication
University of Wisconsin-Milwaukee

"...should there be freedom of speech for the ideas we hate?"

Controversies about "symbolic speech" sometimes involve sit-ins, picketing and mass demonstrations by labor, peace or civil rights groups. More recently the issue has concerned symbols which are either loved or hated--burning crosses, KKK sheets and masks, Nazi uniforms and swastikas, peace symbols and mutilated American flags--or at least are irritating such as long hair, beards and "strange" forms of dress. These symbolic methods of communication are used largely by groups which are not only unpopular, but often violently disliked by large numbers of Americans. Therefore, discussion of whether "symbolic" speech or conduct ought to be protected by the First Amendment means the discussion of two issues that many thought had been settled by now. First, should there be freedom of speech for the ideas we hate? And secondly, is the protection of non-verbal communication consistent with the goals of the First Amendment?

Although there is a popular myth which states that we have freedom of speech in this country and that we allow people whom we hate to say hateful things, the fact is that Americans are not a tolerant people. Leon Whipple in The Story of Civil Liberty in the United States documents many instances of violent mob actions involving killings, lootings and burnings against Quakers, Mormons, Abolitionists and other "out" groups who persisted in expressing their beliefs.[1] Most First Amendment law, in fact, has been made precisely because some states and localities have tried to make laws stopping such groups from exercising freedom of speech. Jehovahs Witnesses, Socialists, labor groups and more recently civil rights demonstrators and peace protesters have all fought these laws, sought protection in the courts and in many cases have eventually received it. The battle is not won, however. There are still large numbers of Americans who find some ideas so repulsive that they wish to ban them, and who actively seek to prevent such groups as the American Nazi Party and such individuals as William Schockley from expressing their ideas. I have maintained elsewhere and firmly believe that we must protect speech for everyone.[2] Those ideas we hate must be constitutionally protected if the marketplace of ideas is to survive for those ideas we love.

If that much is granted, the second issue then becomes whether anyone, including groups which a sizable portion of Americans hate, should be allowed to freely communicate with non-verbal symbols.

Some thought that issue too had been largely answered. In the 1930's the United States Supreme Court ruled that the flying of a red flag by the Socialist group deserved First Amendment protection,[3] and that peaceful labor picketing was protected speech.[4] In the 1940's the Court said that students could not be forced to salute a flag.[5] In the sixties peaceful demonstrations were granted some protection[6] as well as the wearing of black arm bands in the public schools,[7] to those who would deface the American flag.[8] However, in 1975 the issue arises again in some parts of the country--most often in ordinances against that group and two states have forbidden party members to wear Nazi uniforms.[9] So let us again go through the arguments used by those who would prohibit at least some "symbolic conduct," and the arguments of those who would grant symbolic conduct the same protection as conventional speech.

Those who oppose the protection of symbolic speech argue that since all action is in some way expressive, it is impossible to decide where to draw the line. This view was expressed in the draft card burning case of United States v. Miller[10] where Judge Feinberg said that if draft card burning were protected speech, then garbage dumping might be considered protected speech. Obviously political assassinations and bombings are expressive, and no sane person would suggest that those would be considered acts protected by the First Amendment.

Two other arguments are also commonly used. It is said that symbolic conduct elicits an emotional response and that it does not result in the rational discussion that the First Amendment is intended to protect. It is also argued that large demonstrations and the use of such things as Nazi uniforms and black power salutes is inherently coercive, and that even psychological force should not be protected by the First Amendment.

On the other hand, those who would protect these activities argue that symbolic conduct may be the only method of Communication which can provide an audience for those who cannot afford or are not granted access to the mass media. Burning a flag may bring out the television cameras while a conventional speech passes unnoticed. Furthermore, that points out that the Constitution should be a living and growing document and that the method of communication actually used by our citizens is the type that should be protected by the constitution.

> One does not need to be a member of the Supreme Court to see the difference between placing a peace symbol on an American flag and blowing up a building or assassinating a president.

Thirdly, it is argued that symbolic communication is effective, not necessarily coercive, that the Constitution is not intended to protect only innocuous expression. Finally, it is asserted that all ideas must be presented to the market place, and if non-verbal communication is the only means for some ideas to gain an audience, that means must be used.

The final resolution of this issue has not been made. I would, however, draw several conclusions. First, symbolic expression is an effective form of communication and in many cases is the only one

that unpopular groups can communicate effectively. Secondly, no speech should be prohibited on the ground that it will cause a violent opposing reaction from the audience. The "Heckler" must not be allowed to veto expression even if, as Franklyn Haiman has suggested,[11] the national guard has to be called out. Finally if the lines to be drawn as to which types of symbolic conduct are to be protected, that can be done. The same tests that courts have applied to conventional verbal communication can be used to determine if certain physical acts should be exempted from protection. Thus, I would suggest that the same standards be used to protect non-verbal communication as are used to protect the printed and spoken word. Departments of Speech Communication now recognize nonverbal communication as a legitimate method of communication. Perhaps it is time the courts did the same.

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ENDNOTES

"'Symbolic Speech': Yes or No?"

1. Leon Whipple, The Story of Civil Liberty in the Unites States. (New York: Vanguard Press, 1927).

2. Ruth McGaffey, "Freedom of Speech for the Ideas We Hate," English Journal, (May, 1975), pp. 14-15.

3. Stromberg v. California, 283 U.S. 359 (1931).

4. Thornhill v. Alabama, 310 U.S. 88 (1940).

5. West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943).

6. Edwards v. South Carolina, 372 U.S. 229 (1963).

7. Tinker v. Des Moines School District, 393 U.S. 503 (1969).

8. Spence v. State of Washington, 42 LW 5140 (June 25, 1974).

9. Milwaukee Sentinel, October 15, 1975.

10. United States v. Miller, 367 F. 2nd. 72 (1966).

11. Franklyn Haiman, "The Rhetoric of the Streets: Some Legal and Ethical Considerations, Quarterly Journal of Speech, LIII, 99-114.

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## FREEDOM OF SPEECH INTEREST GROUP PANELS

WSCA Convention - Seattle

Tuesday, November 25, 8:30 a.m.

Wednesday, November 26, 8:30 a.m.

Wednesday, November 26, 10:10 a.m.

# A RIGHT TO SPEAK OR NOT TO LISTEN

by

Ray Weisenborn, Ph.D.

Department of Speech Communication
Montana State University

"How such a man as controversial as Rockwell rose to the heights he did is a mystery to most people."

When one speaks of the psychology of mobs and the dynamic leader who moves men to frenzied action, someone may remark, "Look at Hitler. There was a man who was a better orator than Churchill." In F.W. Lambertson's study, "Hitler the Orator,"[1] many of the reasons why such statements are made have been highlighted. To be certain, Hitler was one of the masters of staged oratory. The audiences for such an oratory have five basic characteristics: a feeling of expectance, a narrowed focus of attention, an increase of emotional response, a decrease of rational thinking, and the impulse to act.[2]

These traits are not far removed from those created in five to fifty thousand people who have gathered to hear Martin Luthur King, Timothy Leary, Stokley Carmichael, and George Lincoln Rockwell - the assassinated neo-Nazi. All of these men employed similar techniques to stimulate their audiences. King expounded that he had a dream that would see an oppressed people liberated, Leary would free the mind, Carmichael instills the virtue of "fighting for what's right and what's mine," and Rockwell aired racial supremacy.

How such a man as controversial as Rockwell rose to the heights he did is a mystery to most people. It is inconceivable to the layman that the Nazi Party exists in America; that the free enterprise melting pot of modern civilization could produce a"little Hitler"

This writing presents the social and legal setting for a speech Rockwell delivered at Michigan State University in April 1967. The responses cited are those of the mass, not the theorist. Brief correlations are made to the postulates of Mein Kampf and early writings about the persuasive tactics of Hitler. The writing investigates not so much Rockwell's techniques, but rather, their effects on the audience. For those who study the broad continuum of persuasion, a simple question arises: How do agitators such as Rockwell achieve such a marked success in our society?

The United States Constitution guarantees freedom of speech and press to its citizens, and Rockwell sought justification of that right to the point of near abuse. He became Mr. Ratwell, a genocidal maniac, the half-penny Hitler, and a "racist with a

tendency to rave".[3] More important than the names attached to the man were the legal statements constantly issued to pacify the public's conscience. Typical of these was one made by a New York State judge:

> The abhorrence with which we regard the ideas of this defendant may render our task here particularly onerous, but our duty is no less compelling. We can not, and we dare not, substitute personal judgment of the defendant for the requirements of the law.

Because Rockwell's major platform was the college campus, the administrative heads of such institutions found it necessary to publicly defend their decision of inviting and accepting the appearance of such a controversial speaker. When Rockwell was to address his alma mater, Brown University, the president of the school, by the direction of its Board of Trustees, issues the following statement:

> There is no more important principle for the very life of a university than the preservation of freedom of discussion, including the right to question public policy and to dissent from it.

The fervor stimulated in each college town, the subsequent defenses of free speech, and Rockwell's address differed little from platform.

Virtually all of his addresses were preceded by an upsurgence of student and faculty indignation. Many were repulsed by the fact that he would speak on campus, and others vigorously defended his rights. Two excerpts from the Michigan State University campus newspaper, the State News, illustrate the interest which had been generated a few days prior to his speech of April 20, 1967.

> I am concerned with the response this campus will deliver to Thursday's speech -- a response, that because of the lack of time for intelligent discussion of the matter, is likely to be correspondingly ill-conceived and unintelligent.6

> I do not think that he should have been invited here. But he is coming, and we are faced with the survival of an ideology many thought long dead. . . What should be done to protest Rockwell's appearance? Not throwing tomatoes, or rocks, for that would play into his hands. The Nazi expects that. Not engaging in heckling, or shouting, or even a disuussion, for that would imply that there is something to discuss.[7]

Letters to the editor filled an entire page of the News on the day of confrontation. A student movement had taken root and advocated that the only way to receive Rockwell was with "stars and silence" - referring to the yellow stars used to identify Jewish people in Nazi Germany. Some felt that the News had confused the terms controversial and sensational. Numerous campus groups were confident that no one would cheer or applaud at this moral freak show.

A local minister contended that aboslute silence would force him to deliver a coherent speech. The consternation of one professor asked:

> What are we doing? What is to be gained by giving this mentally ill cretin visibility and the dignity of a university forum? Let us not delude ourselves into believing that Rockwell's presence on this campus will further the education of our student body and our faculty; it will not.[8]

To those who had advocated the silent treatment to the speech, the chaos and confusion of the afternoon must have weakened any previously held faith in their fellow man. Rockwell was scheduled to speak at four, and by two-thirty a thousand persons stood before the doors of the campus auditorium. Students were distributing yellow Stars of David along with sheets of paper which read:

> WEAR THE STAR OF DAVID. Rockwell's anti-Semitism and race hatred are as blatant as they are disgusting. We ask you to join with us in wearing the Star of David as a symbol of our desire to unite the country, not divide it. We think it is important to do this, to get involved, to demonstrate our contempt for falsity and fanaticism -- even when they are embodied in a man so clearly ludicrous as Rockwell.[9]

A few students stood in the background wearing swastikas made of black construction paper.

> "The audience put on quite a show as 'thousands imitated their favorite animals in heat when the doors opened, acting the beast even with the sounds.'"

Mein Kampf could have been based on the events precipitated in the following three hours. By three-thirty the auditorium was under maximum security guard by the campus police. Students crawled in through unlocked windows, paper airplanes floated down from the balcony, and chatter was from, "I wonder if the SS troops will be coming along?" to, "Myself, I've never had anything against the Jews!"

The gathering wanted a freak, a genuine madman in costume, and Rockwell knew it. People wanted hatred spewed about them; they wanted fist-pounding on the lecturn, shouts of "seig heil" with violent outstretched arms and possibly goose-stepped boots. Existing for the paradox, the Commander arrived in a bland, gray worsted suit.

Stage five of Lambertson's mob characteristics was initiated now that the audience was aptly displaying its expectance, emotion-

ality, irrationality, and narrowly focused attention. All seemed planned to perfection, and Rockwell arrived late. (The Lambertson study points out that this was a common tactic of Hitler's.) The audience put on quite a show as "thousands imitated their favorite animals in heat when the doors opened, acting the beast even with the sounds."[10] An entire week of confusion was about to be culminated for an audience that expected the show to be all-violent. Expectations seemed at first invalid. "No single sharp spotlight on a cage or a podium. Instead, a man who could have been mistaken for Oral Roberts or a carnival barker... ."[11]

Rockwell's comments quickly and suggestively turned to a topic which would thread itself through the entire speech:

> This is the only chance I have to present ideas for your judgment. I think it's a great privilege for me but I also think it's something of a privilege for you. (Laughter) This is the first time you will have an opportunity to judge me for yourselves.[13]

The thrust of his speech concerned the fact that they were the victims of managed, manufactured, phony news -- and no news at all.

To the hostile audience seated before him Rockwell professionally enhanced his ethos by constantly referring to his college years at Brown University. He associated with them by utilizing their State News to show that he was continually being misquoted. The audience was safe, he said, because he had commanded three squads of American fighting men. But the man not only boasted, he was humble. At the same time he was employing effective negative suggestion: "I cannot hope to convert you or any significatn number of you."[14] And the audience responded beautifully, nodding their approval. The man was also brave: "I've given up being chicken and afraid. I'm gonna tell the truth as I see it."[15] Rockwell, the martyr: "Some 'peace creep' came at me from behind and stole my sign. I walloped him. I'm gonna picket for what I believe in."[16] A man misunderstood: "They taught me to hate Germans and Japs. The most evil man in the world is (sic) Franklin Delano Roosevelt because he taught me to hate."[17]

Aside from these fundamental concepts of persuasion, Rockwell had developed considerable acumen with a unique technique. In his college speaking engagements he would as quickly as possible get the audience laughing, whether it be with him or at him. "Let me point out," wrote Rockwell,

> that I have been successful time and again on platforms where General Walker and conservative speakers have literally been run off the platform. The last thing they expect is a good natured Nazi, and when I 'reach 'em' with the kind of kidding native to all Americans, they bust wide open and there goes the Jew quarantine and silent treatment . . . The effect is magical! The kids laugh -- half in satisfaction, half nervously -- but always with a guilty knowledge that it's true![18]

Five minutes into the speech Rockwell employed his humor technique by discrediting an article written about him in Esquire by Fred Shapiro. He quipped, "now I wonder what you folks would think about an article called, "The Absolute Unbiased Truth about David Ben-Gurion," by George Lincoln Rockwell?" Laughter and applause; the effect was magical. This instance was followed by many others: he assured the audience he was not going to get rich on their self-addressed envelopes, told them he couldn't believe it either that Churchill was anti-Jew, that the only way to hechsher Coca Cola is to snip off a couple of inches of the top of the bottle. Laughter and applause; the effect was magical.

Perhaps the technique which had the greatest effect upon the people was a seldom employed persuasion ploy of embarrassment. His implementation of humor had loosened up the audience. He then literally tore them apart.

> You have never judged me before, and yet many of you have come in here wearing Stars and doing everything to show that you have prejudged me. Before you have come in here you have prejudged me, and in short form, that's prejudice. And I think most of you would abhor such a thing.[19]

Throughout the crowd one could see many students and faculty in the act of removing their yellow stars.

> The fundamental precept of the agitator is to come with the spoken word and capture with reactions.

Rockwell had won, and now he concluded. Some of the audience began to applaud, some stood, many filed silently out of the building, and others remained behind in hopes of trapping in a question and answer period. As Rockwell had said in his speech, "You thought I was going to eat a baby -- throw it up on a bayonet."[20] He didn't, and he wasn't caught. The circus was finished.

Rockwell had shown the audience that he was not a paranoid lunatic, but rather a master of extempore speaking. He disappointed many by not ranting and raving. He gestured vigorously to press home his points, held up some books and pamphlets to show the assemblage his true and unbiased sources, and vocally prodded the crowd again and again. The psychological victory was that he emerged the master of the situation.

Whether or not one agreed with the Rockwell viewpoint now no longer matters. Or does it? Browne has discussed a new rhetoric, one that does not seek to perpetuate old systems and values; it is a rhetoric of discontinuity.[21]

> The official rhetoric of continuity cannot be expected to remain vital in a society which is increasingly polarizing. As citizens we must be concerned about this polarization process, whatever stand we may take toward it.[22]

Obviously, the past decade has illustrated that the day of the agitator is upon us as perhaps it never has been before. We are experiencing, as Scott and Smith state, the rhetoric of confrontation.[23] They point out we "need to read the rhetoric on confrontation, seek understanding of its presuppositions, tactics, and purposes . . ."[24]

Better still, should we not experience that rhetoric if we are to truly understand it? To witness a Rockwell turning a hostile mass into a soul-searching audience is a disconcerting experience for any of us who call ourselves communication theorists or rhetoricians. The defensive maneuvers of society may not be enough to counter this rhetoric of discontinuity and confrontation. Even "new" techniques, such as source derogation may fall short of our expectations.[25] Agitators, those "superstars" of social movements, are "shorn of the controls that characterize formal organizations,...harassed from without,... (and) must constantly balance inherently conflicting demands on (their) position. . . ."[26] They will continue to do so with even newer, more diverse tactics from a rhetoric of agitation.

Miller and Burgoon have cogently stated the course of action for those who would experience this new rhetoric:

> Indeed, students of persuasion need to spend as much time and energy on the study of persuasive consumption as they have devoted to the study of persuasive production in the past.[27]

But where does one begin in a study of persuasive consumption? Though the referent names will continue to change, study of reactions, such as those toward Rockwell, is the starting point.

Rockwell is remembered as a hate-monger, a half-penny Hitler. He caught people's attention; he made them rise above apathy. Many were disgusted by the fact that he was allowed to speak at all. He made people see that they themselves were prejudiced. Whatever the effect, the man persuaded with his "new" rhetoric. His freedom of speech outweighed the freedom not to listen.

As a point of focus, we of the communication genre would do well to realize one primary construct in our observations and analyses: The fundamental precept of the agitator is to come with the spoken word and capture with reactions.

Rockwell did just that. Perhaps, through our projected socio-rhetorical insights into the rhetoric of the agitator, we would do well to play the prophet and envision who will next cross the horizon.

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FOOTNOTES

"A Right to Speak of Not to Listen"

1. F.W. Lambertson, "Hitler the Orator: A Study in Mob Psychology," Quarterly Journal of Speech (XXVII, April 1942), p. 223-331

2. Ibid., p. 127

3. "New Notes," America (Vol. 110, no. 11, March 14, 1964), p. 329.

4. Court memo: State of New York, NYT, June 28, 1966, p. 30.

5. Alex Haley, "George Lincoln Rockwell," Playboy (XIII, no. 3, November 1965), p. 71-72.

6. Ed Grill, "Rockwell: The Other Issues," State News (East Lansing, Michigan,) April 19, 1967, p. 2.

7. Mitch Miller, "In Memory of Six Million," ibid., April 18, 1967,p. 2.

8. Herbert C. Rudman, letter to the editor, ibid., April 20, 1967, p. 2.

9. "Why the Star of David?" Ad Hoc Committee on Rockwell (Associated Students of Michigan State University), hand-out, April 20, 1967.

10. Mark Kupperman, "The Wild Man from Borneo," The Paper (East Lansing, Michigan), April 25, 1967, p. 1.

11. Ibid.

12. George Lincoln Rockwell, tape recorded text by Michigan State University Instructional Media Center, April 20, 1967

13. Ibid.

14. Ibid.

15. Ibid.

16. Ibid.

17. Ibid.

18. George Lincoln Rockwell, Rockwell Report (Arlington, Virginia), April 1967,p17 (emphasis in original).

19. Rockwell, tape recorded text.

20. Ibid.

21. Robert M. Browne, "Response to Edward P. J. Corbett, 'The Rhetoric of the Open Hand and the Rhetoric of the Closed Fist,'" College Composition and Communication

22. Ibid., p. 91.

23. Robert L. Scott and Donald K. Smith, "The Rhetoric of Confrontation," Quarterly Journal of Speech (LV, no. 1, February 1969),p.p. 1-8.

24. Ibid.,p. 8.

25. Gerald R. Miller and Michael Burgoon, New Techniques of Persuasion (New York: Harper and Row, 1973), p. 35.

26. Herbert W. Simons, "Requirements, Problems, and Strategies: A Theory of Persuasion for Social Movements," Quarterly Journal of Speech (LVI, no. 1, February 1970), p. 4

27. Miller and Burgoon, p. 43

## SCA'S COMMISSION ON FREEDOM OF SPEECH

by Thomas L. Tedford, Commission Chairman

The Commission on Freedom of Speech of the Speech Communication Association was born in December of 1960 when a group of teachers attending SCA's St. Louis Convention started to discuss informally the need for an "interest group" in free speech. In 1961, meeting in New York, the SCA (then the Speech Association of America) approved the formation of a Committee on Freedom of Speech, later to be elevated to the status of Commission. Franklyn S. Haiman of Northwestern University was the Committee's first chairman and newsletter editor. The Committee's program at the outset included information, instruction, scholarship, and position statements (resolutions). The means of communicating this program included a newsletter (now named Free Speech), a yearbook (now entitled Free Speech Yearbook), convention programs, and the formulation of resolutions for SCA administrative consideration and action. The four-part program and the methods of communication continue to the present time.

### News and Information: the Newsletter

The first newsletter, mailed in January of 1962, was one page in length. Today the newsletter, officially named Free Speech, is twelve to fourteen pages in length and is published each fall, winter, and spring of the academic year. Free Speech communicates information about the work of the Commission, and includes pedagogical materials for teachers as well as news about First Amendment issues and cases in the United States. Subscriptions are available at no cost by writing to the national office of SCA.

### Instruction

The Commission encourages the study of freedom of speech in departments of speech communication. "If students of journalism need to understand the law of defamation," Franklyn Haiman is fond of saying, "why shouldn't students of speech communication understand it too--along with the clear-and-present danger principle, the First Amendment as applied to broadcasting, and more?" The Commission urges the study of First Amendment history, political and philosophical arguments (e.g., Thomas Hobbs v. John Stuart Mill), U.S. Supreme Court decisions, current laws, societal attitudes, etc., emphasizing that objectivity and scholarship should take precedence over personal opinion and advocacy. To assist in this area of work, the Commission communicates through the newsletter, the yearbook, and convention programs instructional helps such as unit and course outlines, pedagogical suggestions, and source materials. Haiman, Robert M. O'Neil, and Haig Bosmajian--all past or present members of the Commission--have produced texts for use in free speech courses.

## Reporting Scholarship

The first Free Speech Yearbook was published in mimeograph form in 1962, and in the same form each year thereafter until 1970 when the SCA assumed publication responsibility. The Yearbook provides a means of communicating scholarship on the subject of free speech. Typical articles: "The Effects of Various Methods of Teaching About Freedom of Speech on Attitudes about Free Speech Issues," by Charles M. Rossiter, Jr. (1970); "Federal Censorship of National Open Forum Radio," by David Markham (1971); and "Free Speech in Ancient Athens," by Halforn Ryan (1972). In addition to articles, the Yearbook includes a summary of Supreme Court opinions on the First Amendment during the preceding year, and a bibliography of articles, books, and court decisions.

To further encourage scholarship in the field, an anonymous donor has provided a $100.00 annual cash award, named in honor of Herbert A. Wicheins, to the author of the best article to be published in the Free Speech Yearbook. The first Wichelns Award in Free Speech went to Frank J. Kahn (Herbert H. Lehman College, CUNY) for his 1974 article entitled "From 'Fairness' to 'Access' and Back Again: Some Dimensions of Free Expression in Broadcasting." Yearbooks since 1970 are available from SCA's national office.

Programs at the annual SCA Convention provide a second means of reporting scholarship. The Commission on Freedom of Speech presents a minimum of two programs at each convention: a 1974 listing (Chicago Convention) is typical. Entitled "Contemporary Free Speech Issues: Contributed Papers," the program featured four studies including "Mass Media and the First Amendment," by William E. Hanks, and "Semantics of Freedom of Speech Terms," by an eight-member research group from Arizona State University. (For this last study, see Freedom of Speech Newsletter, April 1970-ed.)

## Resolutions

The Commission developed its first resolution on freedom of speech in 1963; following approval by the Legislative Council, the statement was issued as an official SCA position on speaking and artistic production on the campus. The resolution continues to be used by teachers of speech communication and theatre:

> 1. The Speech Communication Association recommends, in the case of public speakers who are invited by faculty or student groups to appear at their school, that administrations follow a policy of requiring notification for calendar and room assignment purposes only, and that the practice of granting or denying permission for such events on the basis of an evaluation of the content be voluntarily restrained. We consider it within the legitimate exercise of administrative authority to limit this privilege to faculty members and accredited student organizations; and to require in the latter case that the invitation be decided upon in accordance with the established procedures of the inviting group. We also regard it as appropriate for administrators to counsel with students on such matters, and to suggest ways of exposing the prospective audience to points of view beyond those of the invited speaker of the day.

2. To ensure that artistic and literary criteria will be paramount, the Speech Communication Association urges that decisions regarding the selection of material for dramatic production be left to the professional judgment of the appropriate faculty members.

During the turmoil of the late 1960's, the Commission prepared and the Legislative Council approved (December, 1967) a second resolution. This statement, which is concerned with "extreme" forms of protest, is as follows:

The Speech Communication Association expresses its determined support for the constitutional right of peaceful protest, whether verbal or nonverbal, whether carefully reasoned or heatedly emotional, so long as it does not interfere with the free speech rights of others who may disagree;

That we criticize as misguided those who believe that the justice of their cause confers license physically and coercively to interfere with the speech and activities of others of a different persuasion.

The latest statement developed by the Commission and approved by the Legislative Council is the 1972 "Credo for Free and Responsible Communication in a Democratic Society":

Recognizing the essential place of free and responsible communication in a democratic society, and recognizing the distinction between the freedoms our legal system should respect and the responsibilities our educational system should cultivate, we members of the Speech Communication Association endorse the following statement of principles:

We believe that freedom of speech and assembly must hold a central position among American constitutional principles, and we express our determined support for the right of peaceful expression by any communicative means available to man.

We support the proposition that a free society can absorb with equanimity speech which exceeds the boundaries of generally accepted beliefs and mores; that much good and little harm can ensue if we err on the side of freedom, whereas much harm and little good may follow if we err on the side of suppression.

We criticize as misguided those who believe that the justice of their cause confers license to interfere physically and coercively with the speech of others, and we condemn intimidation, whether by powerful majorities or strident minorities, which attempts to restrict free expression.

We accept the responsibility of cultivating by precept and example, in our classrooms and in our communities, enlightened uses of communication; of developing in our students a respect for precision and accuracy in communication, and for reasoning based upon evidence and a judicious discrimination among values.

We encourage our students to accept the role of well-informed and articulate citizens, to defend the communication rights of those with whom they may disagree, and to expose abuses of the communication process.

We dedicate ourselves fully to those principles, confident in the belief that reason will ultimately prevail in a free marketplace of ideas.

In summary, the Commission on Freedom of Speech has a program of information, instruction, shcolarship, and "position statements" which has been consistent since the origins of the group. The study of free speech--that basic condition of freedom which permits the profession of speech communication to exist--has been challenging, exciting, and fruitful for those who have worked in the area. There are many who feel that our profession is the better for it.

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FREE

FREEDOM OF SPEECH

A Selected Annotated Basic Bibliography

Prepared by

Thomas Tedford

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INDEX ON CENSORSHIP

The New Yorker of August 18, 1975, offers an extensive review of a British publication---Index on Censorship. The Index is edited by Michael Scammel. If you write him at Random House, 156 Fifth Ave., New York City, New York and enclose ten dollars, this quarterly is yours.